

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)**

STATE OF RHODE ISLAND OFFICE OF THE
GENERAL TREASURER, ON BEHALF OF THE
EMPLOYEES' RETIREMENT SYSTEM OF THE
STATE OF RHODE ISLAND, Individually and on
Behalf of All Others Similarly Situated,

Plaintiffs,

v.

THE BOEING COMPANY, DAVID L. CALHOUN,
DENNIS A. MUILENBURG, BRIAN J. WEST, and
GREGORY D. SMITH,

Defendants.

Civil Action No. 1:24-cv-00151-LMB-LRV

CLASS ACTION

STIPULATION AND

ORDER REGARDING SERVICE AND SCHEDULE

WHEREAS, on January 30, 2024, plaintiff State of Rhode Island Office of the General Treasurer, on behalf of the Employees' Retirement System of the State of Rhode Island ("Rhode Island"), filed a class action complaint (the "Complaint") on behalf of investors against The Boeing Company, David L. Calhoun, Dennis A. Muilenburg, Brian J. West, and Gregory D. Smith ("Defendants"), alleging violations of the Securities Exchange Act of 1934 and Rule 10b-5 promulgated thereunder;

WHEREAS, on April 22, 2024, the Court appointed Rhode Island and Local #817 IBT Pension Fund ("IBT Pension Fund") as Lead Plaintiffs and Ordered Lead Plaintiffs to file an Amended Complaint within 30 days of the entry of that Order (ECF No. 26); and

WHEREAS, Lead Plaintiffs and Defendants (together, the "Parties") have met and conferred and, for the convenience of the Parties and the Court, hereby enter into the following stipulation regarding service of Defendants and the schedule in this matter;

NOW, THEREFORE, the Parties, through their undersigned attorneys and subject to the Court's approval, stipulate and agree to the following:

1. Defendants are not required to move against, answer, or otherwise respond to the Complaint other than in accordance with the schedule and other provisions set forth herein.

2. Defendants each waives service of a summons, in accordance with Rule 4(d) of the Federal Rules of Civil Procedure, but each Defendant expressly reserves all rights, defenses, and objections other than objections to the absence of a summons or of service.

3. In accordance with the timetable set forth in Rule 12(a)(1)(A)(ii) of the Federal Rules of Civil Procedure when a defendant has waived service of process under Rule 4(d), Defendants shall have ³⁶~~60~~ days after the filing of the Amended Complaint to move against, answer ^{MB} or otherwise respond.

4. If any Defendant moves to dismiss the Amended Complaint, Lead Plaintiffs shall file and serve their opposition no later than ³⁰~~60~~ days after the filing of any motion to dismiss. ^{MB}

5. Any moving Defendant shall file and serve its reply to any opposition made by Lead Plaintiffs no later than ¹⁴~~30~~ days after the filing of Lead Plaintiffs' opposition. ^{MB}

IT IS SO STIPULATED.

So Ordered

ls/

MB
Leonie M. Brinkema
United States District Judge

4/30/24

Dated: April 29, 2024

/s/ Benjamin L. Hatch

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*Liaison Counsel for Lead Plaintiff Local #817
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Pension Fund and Lead Counsel for the Class*

Respectfully submitted,

/s/ Steven J. Toll

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/s/ Craig C. Reilly

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